

**CITY OF MORGAN HILL
SPECIAL CITY COUNCIL MEETING
MINUTES – MARCH 27, 2003**

CALL TO ORDER

Mayor Kennedy called the special meeting to order at 4:35 p.m.

ROLL CALL ATTENDANCE

Present: Council Members Chang, Sellers, and Mayor Kennedy
Late: Council Member Carr (arrived at 4:40 p.m.)
Absent: Council Member Tate

DECLARATION OF POSTING OF AGENDA

City Clerk Torrez certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2.

OPPORTUNITY FOR PUBLIC COMMENT

Mayor Kennedy opened the floor to comments for items not appearing on this afternoon's agenda. No comments were offered.

WORKSHOP

1. CONDUCT WORKSHOP TO REVIEW AND PROVIDE COMMENTS ON THE SCHEMATIC DESIGN FOR THE SANTA CLARA COUNTY COURTHOUSE PROJECT

Director of Community Development Bischoff indicated that staff recommends that the County/Design Team walk the Council through the origin of the design and discuss the various aspects of the project. Upon their conclusion, staff would review some of the concerns it has with respect to the design of the courthouse and how staff believes the design could be improved to be more consistent with the image of Morgan Hill. He said that it is staff's hope that the meeting could conclude with clear direction in terms of the County/City agreement on the next steps.

Alicia Flynn, project manager, indicated that the design team would address the design of the courthouse project and respond to comments and questions that the Council may have.

Chuck Drulis, courthouse project architect, walked the Council through the design of the courthouse, including project programming and site planning.

Mallory Cusenberry, member of the design team, indicated that he would introduce the Council to some of the underlying design. He said that it was his hope to demonstrate that as the design progresses, the end product would be a civic landmark and be neighborhood responsive; a project that recognizes and supports the image of downtown Morgan Hill. He said that he is approaching this goal in a number of ways, starting with a project that has a strong civic presence; articulating the civic presence through the

use of noble materials and quality detailing. It is the design team's hope to create a certain resonance with the use of traditional architecture that is associated with court houses; working volume metrically in a way that evokes some of the parcelization that the Council may be familiar within traditional town planning that is in keeping with a town of this size. The design team tried to create gestures that were reflective of the agricultural history of Morgan Hill. He addressed the civic component followed by the neighborhood response component. He felt that one of the goals is to create a building that feels open and accessible. The design team has created public areas in key components, from the civic design standpoint and from a neighborhood stand point, by placing the lobby and jury assembly room on the corner of Butterfield and Diana. He noted that public circulation has been placed along Butterfield Boulevard. The design team took the north entrance for the justice agency building and the south entrance for the court house facility; manifesting into two major plazas. He stated that the creation of an adjacency of public uses is a key to making the site open and accessible. He indicated that another important element is symbolism. It is the design team's hope that the final design would provide a sense of elegance, simplicity, accessibility and dignity.

Mr. Cusenberry addressed the neighborhood responsive design as well as the civic design, indicating that the design provides Butterfield Boulevard with a greater degree of intimacy than it currently has with a reference point being the downtown. It is a goal to have a distinct street edge along Butterfield, nesting the parking behind the building. A third component is the idea of parcelization. He said that the design team is trying to create a distinct rhythm that scales more at a standard parcel width. Regarding neighborhood relationship, he felt that scale was important, noting that the building is designed several feet below the height limit. The design team has carefully worked all the mechanical units into the volume of the building. The scale of the bays is 4.5 feet projecting out of the face of the buildings. Therefore, the recesses along Butterfield are fairly deep and the portico itself is deeper yet. The design includes significant recesses and not just superficial modulations of the facade. It was his belief that these elements would work to mitigate the size and length of the building. The idea of pedestrian orientation is another key component of an interface with the neighborhood. He said that the design team focused the pedestrian movement toward key areas, including the articulation of a pedestrian walk along Butterfield Boulevard. The design team also tried to create both a civic land mark and a neighborhood friendly project. He felt that through the use of broader gestures and fine articulation, it would provide an elegant and a strong civic presence; one that is enjoyable and would be an amenity to be around. The design would provide a comfortable intimate environment to appreciate the dignity of this important public building.

Mr. Drulis indicated that parking is sited behind the building. The public face of the building would balance this out for convenience from the parking lot to gain access to the facility. This would still afford a civic presence on the corner. He noted that the building has one single secured entry because of the court house facility. The design team is exploring the use of bench elements at the street level so that pedestrians will have an opportunity to sit, rest, talk or wait for someone to pick them up along Butterfield. It was indicated, at a previous Council meeting, that a pedestrian element was important. Discussed was the potential opportunity for a small pocket park that could include benches at the south entrance. He indicated that the design team was initially concerned about the length of the building. He said that the scale of the project starts to break down at the north end of the site where it becomes a one story building.

Council Member Chang stated that she was not clear about the pedestrian access to the downtown area.

Mr. Cusenberry identified the pedestrian walkway to the downtown.

Mr. Drulis said that one thing that the design team is waiting for is the land between the parking lot and the adjacent property proposed for a fire station. Once the adjacent property conceptually takes a step forward, the design team can move a node to link up to the crossing near the Caltrain station.

Mr. Cusenberry stated that the design team knows that it is important that people be able to circulate to the downtown. He sees the pedestrian path being developed as a shaded, nice place to walk through and sit, and that it not be an after thought.

Mr. Drulis said that the design team did not touch on every guideline as it was felt that there were some factual compliance pieces required. The design team looked at the more subjective elements of the guidelines to discuss at this meeting. He stated that the design team feels that the design is in substantial compliance with the City's guidelines as it was used as a reference in site planning. He displayed split face lime stones with a color range being considered for the building. Also, a ground cover terra cotta slate color is being proposed for the floors in the building and the plaza and that plaster is to be used on the exterior of the buildings. The design team is considering the use of Santa Barbara white to cream colors. He characterized the proposed use of materials as being elegant and soft, referential to the City's civic building. He identified the miscellaneous to be used (e.g., gates in the parking area and slots).

Council Member Chang said that these were the colors she would have liked to have painted the community center. She stated that she liked the design as it gives the building a civic presence. She was pleased that a model was brought to the meeting. She excused herself from the remainder of the meeting.

Director of Community Development Bischoff stated that he felt that the design team did a lot to meet the design guidelines. He identified the following requirements: 30 foot building setback; a building height limitation of 40 feet, buildings not to be designed to have a back side; the service areas between the two buildings to be screened; parking to be located to the rear; no roof mounted mechanical equipment; and a building designed with a strong civic statement. He acknowledged that the design team satisfied these positive requirements/aspects. He addressed the design of the project in terms of consistency with the small town; family oriented image of Morgan Hill referenced in the design guidelines. He displayed some examples of buildings that illustrate some of the concepts that would address scale and mass, breaking up the horizontal plain in the mix of single and multi story units. He noted that Mr. Cusenberry stated that the recesses would help to mitigate the length of the building. He understood what Mr. Cusenberry was stating but that he was not certain that staff necessarily agreed. He felt that protruding recesses would be an effective way to reduce the mass of the building. An example illustrates the concept of mixing single and multi story units. He felt that the examples demonstrate how the building could be articulated in a different manner to address some of the concerns that City staff perceives in terms of the massiveness of the building. He said that the roof is another aspect that adds to the feel of massiveness. He stated that the guidelines suggest that slope roofs be used as a way of reducing the perceived volume of the building or stepping it back to provide variation. He stated that human scale makes a building consistent with a Morgan Hill image of a small town, friendly

family orientation. He noted that it was indicated that the use of trellis would extend out and the use of benches would help address this aspect. Staff's concern with the proposed design is that the glass is extended up to a height of 28 feet and does not believe that a human scale is provided as there is no horizontal break. Regarding the building entrances, Mr. Drulis indicated that the guidelines talk about the entrance being to the north. He noted that the Mayor made mention of flipping the project with the main entrance to the courthouse being at the north end of the site. If the entrance was relocated to the north, it would provide a direct connection for individuals to the downtown area. He said that the Water District building design was the closest design that would be more in keeping with Morgan Hill.

City Architect Dumas said that when he initially looked at this project, he was concerned about the design concept of the building and how it would be carried out. He felt that the design was fragmented, somewhat, because the east and west elevations were drastically different. The office building design was also different from that of the courthouse building design. He felt that one design concept should be implemented throughout instead of having one Butterfield elevation and the west elevation being different. He understood that everything is driven by site planning and that it dictates the elevations.

Mr. Cusenberry inquired whether staff would like to see the same design throughout the buildings.

Mr. Dumas did not know if the Butterfield design is the correct one. He recommended that the design team start with one design concept and that it be implemented throughout the project with some variation.

The design team walked the Council through the interior and exterior of the model.

Mr. Drulis stated that the materials presented this evening were the range of materials/colors being considered.

Mr. Dumas acknowledged that the interior of a facility dictates the design, to a degree. Initially, he is looking at elevations to see what drives them. He said that the east and west facades are different and that they need to be molded so that it is one overall concept versus specific facades that are different. He shared Mr. Bischoff's comments relating to human scale.

Council Member Carr inquired whether anything would have been done differently if the City owned the property for the fire station in planning the building. He inquired whether it would make sense to have the fire station closer to the intersection of Butterfield and Dunne and that the County buildings are better served being closer to the train station, bus station and the downtown area.

Mr. Drulis said that there is a basic town planning approach that is sound: having consistent frontages on the street and siting important elements toward the street. From an operational stand point, he stated that the fire trucks would have to cut through the center divide if the fire station is sited at the intersection. He said that for the number of individuals visiting the site, based on traffic flow, the intersection is desired.

Ms. Flynn indicated that from the County's perspective, the Butterfield and Dunne intersection was an attraction for the site in terms of presence of the building and access to and from the building. It was important to have the ability to locate the facility at a corner versus mid block.

Council Member Carr indicated that when the County and City were looking at the site, thought was not given to a fire station. From a public safety stand point, he felt that a fire station should be sited at the intersection.

Mayor Kennedy stated that there were a lot of features about the facility that very well done/appealing. He felt strongly that the main entrance should be located mid block. He stated that the pedestrian railroad crossing to the downtown is being built. He said that the main downtown cross street, Third Street, is right across and located near the proposed fire station site. He stated that it makes sense to have the jurors, judges, and attorneys access the building through the City's main pedestrian corridor to the downtown. He sees a major conflict by siting a fire station as proposed. He felt that this is something that the City needs to work on as the fire station seems to be in conflict with the principal. He would like to see the fire station located elsewhere, making the area a main pedestrian mall. He recommended that the main entrance to the facility be flipped. With respect to the design of the building, he recommended that the solid blank wall be cut back and opened so that you can see glass and other variations. As designed, it is open at one end and not at the other end. He requested that something be done with the backside to make it more attractive. He also recommended that something be done with the entrance presence so that it does not dominate the design of the entire building. He felt that the box on each form makes the building unattractive. He would support a design that would make the building more attractive. He felt that the appearance of the second building has no warmth and is monotonous. He recommended that something be done to make the building more attractive and fit in with the surrounding.

Council Member Sellers thanked the architects and everyone else for coming to City Hall. He stated that the design team took very conflicting concepts and pulled them together. He was pleased to see that the design team was given some latitude to the downtown link as it is an important/critical element to the Council. He said that he was not in the same frame of mind as Mr. Dumas and the Mayor regarding the sides of the building as he felt that the Butterfield side is different from the parking lot side. Overall, he felt that the design was getting closer. He liked the entry statement as it gave the facility a presence. He said that his biggest concern tends to be the Butterfield entrance. He requested that consideration be given to the 310 foot long building and the walls on Butterfield. He appreciated the design team giving consideration to travel speed as it relates to the feel of the building. He said that he was not adverse to height variations. He said that there is some uniqueness to the building that might allow the County to figure out a way to break up the building. He appreciated the manner in which the mechanical equipment was handled. He felt that the building would be stark from the angle. He was satisfied with the design with the exception of the entrance and recommended that focus be given to some of the architectural exterior elements. He felt that the use of canopies might be a key element that would break the building up on the parking lot side.

Council Member Carr said that in viewing the model and being able to take the roof off in order to understand how the design works was important. He agreed with Mayor Kennedy about the entryway. He felt that the entryway was important and is dramatic. He felt that the entryway was located on the

opposite side to the importance of the building. He stated that connection to the heart of Morgan Hill was important and could be worked on. He said that he would hate to lose the 1.6 acre opportunity. He inquired whether anything could be done differently if the 1.6 acres were made available. He expressed concern with the Butterfield Boulevard side of the building being elongated. The flat roofline is something that he believes the Council should work on. He felt that the court likes being at the corner but that they might be persuaded.

Joseph Mueller felt that there were other practical reasons why the County should consider flipping the design of the building. He said that the County is missing the connection as identified by Mayor Kennedy and Council Member Carr. He noted that the Court will have workers behind the least desirable area. He said that the EIR for the project states that the County wants to have individuals access the site via train or bus, therefore, the functionality of the site has missed the point of what is valuable for Morgan Hill; the visual connection to the downtown. He felt that the architect/County needs to rearrange the building elements. He felt that the functionality issue could be addressed, especially if the City takes over the adjacent 1.6 acres to have the design meet the livable/pedestrian friendly community connection to the downtown.

Council Member Sellers said that there are two significant logistical details that the City needs to act on right of way if a pedestrian connection to the downtown is to be achieved: 1) determine the land use for the land north of the site; and 2) address the issue of accessing the site coming north on Butterfield. He was not satisfied that left turns onto Diana would be the appropriate traffic flow to access the parking lot. He did not know if it made sense to install another intersection or traffic light at Diana and Butterfield as it would defeat the traffic flow on Butterfield Boulevard.

Mr. Mueller indicated that the City has previously increased the height limitations in order to add features that would break up solid roof lines on other buildings in town.

Mayor Kennedy requested that City staff take a look/come up with a proposed site plan that studies the concept of a pedestrian mall by flipping the building within a week that would include the 1.6 acre Valley Transportation Agency land.

Mr. Drulis stated that the County would be interested in a plan that identifies what will happen to the 1.6 acre strip of land as this would be something that the County could respond to. He said that consideration has to be given to an intersection. Should the City decide to conduct a planning study, he requested that the City consider and express what would be acceptable from a planning stand point, indicating that County staff would respond to the planning study.

Judge Shapiro said that Court personnel are impressed and have a lot of confidence with the work of the architect. The Court is in favor of the corner entrance as it reflects the corner of the building. He would be willing to reflect and take back to the Court the recommendation to change the location of the entrance. He stated that the court would need to see what would be proposed with the 1.6 acre area as a court plaza versus a fire station/office building as access is a concern. H indicated that by year 2007, there will be a split between the Court system and the County, the Court taking over the court facility and the County retaining the office facility. Access to the parking lot will need to be maintained, noting that this will be resolved by the State and the County. The court is concerned about staying on the

timeline, looking at the end of 2005 to build the courthouse. He said that the County needs to know how the 1.6 acre area will be used as soon as possible, indicating that the Court is open to considering alternative plans.

Council Member Carr inquired whether changing the height of the building would address the City's concern.

Mr. Drulis said that he would need to review the budget to see what can be accomplished. If the City raises the height limit and the County directed that he look at options, he would study the options; however, this would take time and additional money.

Mr. Dumas addressed the pedestrian way, indicating that you would not want to cross vehicular traffic and pedestrian traffic.

Ms. Flynn said that the concept of shifting the design would take a lot of thought.

Council Member Sellers noted that a concern raised by Mr. Dumas and the Mayor was the entryway.

Mr. Drulis said that there could be a possibility in bringing circulation along the edge or diagonally across the site. He said that there are opportunities to place benches near the building but that the design does not see the area as a tight sidewalk where you have to work your way to the building.

Mr. Gusenberry stated that the design team would embrace ways of evolving the parking lot to have a viable circulation. He agreed that it would be good to provide a choice and variety in terms of pedestrian circulation. He felt that there was enough space on site to incorporate pedestrian circulation and would embrace and support these kinds of connections.

Mr. Drulis indicated that the design team would agree to take all information and evaluate it and that the County would provide the design team direction on how the project is to proceed.

Ms. Flynn suggested that should the Council wish to hold another workshop, County staff could return to the Council with a progress report.

Council Member Sellers inquired whether April 9 is a meeting date that the County could return to the Council.

City Manager Tewes indicated that April 9 is a possible meeting date. He indicated that Mr. Bischoff is the staff member responsible for design issues. He recommended that County staff be in touch with Mr. Bischoff to schedule another meeting. He felt that it would be helpful, on the specific issue of changing the contract, that City staff hear whether a change in the contract for the height limitations would give the County flexibility to address some of the issues.

Mr. Gusenberry addressed access and the intersection issues from an operational stand point. He stated that it was important to realize that as you come off the intersection, there is a good chance that you may draw people off as they arrive to the facility (drop off an individual and then park the car). It is the idea

that as one drives off of the intersection, there are a couple of drop off points with no parking to avoid obstructions. This sequence corresponds to the State Seal that is located on the side of the courthouse and the entry into the plaza and parking garage. He said that the drop off areas have a civic node as part of this sequence. If the pedestrian component is shifted and the traffic component is not, there would be a situation where everybody is coming from the back side and have to cross drive, making a turn in order to park. He felt that these were logistics that would be worth discussing.

Mayor Kennedy suggested moving the entire building back and provide a drive in front for drop offs.

Mr. Bischoff recommended the use of a duck out for drop offs.

Mr. Drulis said that the design team is trying to keep the building away from the railroad tracks, as much as possible, because the guidelines mention acoustic problems. He said that the design team is sensitive to this, given the fact that there are jury deliberations taking place as well as use of the judge's chambers and the courts. He felt that there was an advantage to keeping the building as close to Butterfield as possible.

Mayor Kennedy said that it is his impression of courthouses that they tend to sit back and that entrance to the building is typically from the front street side. He requested that the City staff look at the use of a duck out or another alternative.

Ms. Flynn said that she would like the opportunity to talk to the design team about the concepts presented by the City and what they believe would work. She would contact Mr. Bischoff to determine what would be the most meaningful way to return to the City in another workshop setting, keeping in mind the timeframes and progression of the project.

Mayor Kennedy thanked the County, Judge Shapiro and the design team for attending the workshop as it was helpful. He hopes that all agencies can keep the progress moving.

ADJOURNMENT

There being no further business, Mayor Kennedy adjourned the meeting at 6:21 p.m.

MINUTES RECORDED AND PREPARED BY:

IRMA TORREZ, CITY CLERK